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**From:** Byrne, Andrew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7780BA77939E4CB3A5F8AED1EDA8C70A-BYRNE, ANDREW]  
**Sent:** 7/9/2020 3:29:40 PM  
**To:** Anderson, Danielle [Anderson.Danielle@epa.gov]; Leutner, Fred [Leutner.Fred@epa.gov]  
**Subject:** RE: Supreme Court - OK reservation case

Yes, they are already discussing the case and will likely be presenting on our biweekly tribal program call a week from today. I assume it would be very easy for them to also cover the WQS call.

**Andy Byrne**

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**From:** Anderson, Danielle <Anderson.Danielle@epa.gov>  
**Sent:** Thursday, July 9, 2020 11:28 AM  
**To:** Byrne, Andrew <Byrne.Andrew@epa.gov>; Leutner, Fred <Leutner.Fred@epa.gov>  
**Subject:** RE: Supreme Court - OK reservation case

Wow! Thanks for this update! Andy, who do you think would be a good attorney to ask to speak to this on our next tribal WQS workgroup call – Tod and Tina (R6)?

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Danielle Anderson  
Regional Branch, Team Leader  
Standards & Health Protection Division  
Office of Science & Technology  
U.S. EPA, Office of Water

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**From:** Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>  
**Sent:** Thursday, July 9, 2020 11:21 AM  
**To:** Leutner, Fred <[Leutner.Fred@epa.gov](mailto:Leutner.Fred@epa.gov)>; Anderson, Danielle <[Anderson.Danielle@epa.gov](mailto:Anderson.Danielle@epa.gov)>  
**Subject:** FW: Supreme Court - OK reservation case

FYI, I sent this around to our tribal program list just a few minutes ago.

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**From:** Byrne, Andrew  
**Sent:** Thursday, July 9, 2020 11:11 AM  
**Subject:** RE: Supreme Court - OK reservation case

Attached is a high level summary that came out just after the opinion was announced. In the next few days I assume legal analysts on SCOTUSblog will have a more detailed analysis which may be of interest. It would be posted on the following site: <https://www.scotusblog.com/case-files/cases/mcgirt-v-oklahoma/>

Andy

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**From:** Byrne, Andrew  
**Sent:** Thursday, July 9, 2020 11:00 AM  
**Subject:** Supreme Court - OK reservation case

(Bcc to TPMs)

Today is the final day of the current Supreme Court term and the Court issued its decision in *McGirt v. Oklahoma*, finding that the Muscogee Creek Reservation was never diminished. Justice Gorsuch authored the 5-4 opinion, his reasoning is based in his finding that Congress never explicitly terminated the Reservation. You can find a link to the decision below, we will see if we can have a discussion on the implications of the case on an upcoming TPM call.

[https://www.supremecourt.gov/opinions/19pdf/18-9526\\_9okb.pdf](https://www.supremecourt.gov/opinions/19pdf/18-9526_9okb.pdf)

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